

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

LARON FRANKLIN MARSHALL,

Defendant.

Case No. 1:02-CR-73-02

Hon. Richard Alan Enslen

**ORDER**

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This matter is before the Court on Defendant Laron Franklin Marshall's second Motion for Copies of Documents Without Fees. On January 11, 2006, the Court reviewed Defendant's second Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255. Also before the Court was Defendant's first Motion for Copies of Documents Without Fees. Being a successive 2255 Motion, the Court transferred Defendant's Motion to the Sixth Circuit Court of Appeals to facilitate that court's decision as to the propriety of issuing a certificate of appealability. *See In re Sims*, 111 F.3d 45, 47 (6th Cir. 1997).

As for Defendant's first Motion for Copies of Documents Without Fees, the Court denied that request without prejudice and invited Defendant to renew that Motion should the Court of Appeals issue a certificate. Defendant's second Motion for Copies of Documents Without Fees operates on that invitation and insists that the Court of Appeals issued him a certificate on January 13, 2006. The Court has reviewed the docket and finds no such certificate has been issued, nor has Defendant attached said certificate to his Motion.

**THEREFORE, IT IS HEREBY ORDERED** that Defendant Laron Franklin Marshall's Motion for Copies of Documents Without Fees (Dkt. No. 140) is **DENIED**.

DATED in Kalamazoo, MI:  
March 10, 2006

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE